

BARROW
CIVIL DOCKET

70-C-182

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE

ATTORNEYS

FIREMAN'S FUND INSURANCE COMPANY,
a Corporation

VS

Harry Simms, dba Simms Construction
and Simms, Incorporated, an Oklahoma
Corporation

Isola Abernathy and Alvin Ralph
Abernathy, Intervenors - defendants

For plaintiff:

Thomas R. Brett
1700 Fourth National Bank Bldg
Tulsa, Oklahoma 74119

For defendant:

Barry Simms
1500 United Founders Life Tower
Oklahoma City, Okla

Watson & Watson
Box 647
Drumright, Okla. 74030

STATISTICAL RECORD

COSTS

DATE

NAME OR
RECEIPT NO.

REC.

DISB.

J.S. 5 mailed 7-1-70

Clerk

1970
6-11
6-18

Brett
CD No 54

15 00

15 00

J.S. 6 mailed 3-1-71

Marshal

Basis of Action:
Declaratory judgment

Docket fee

Witness fees

Action arose at: Tulsa

Depositions

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-11-70	Complaint filed and summons issued. ds	
6-30-70	Alias summons issued. m	
7-2-70	Summons returned, filed - Harry Simms not found in ND)O. (\$20.88)	
7-17-70	Amendment to Complaint for Declaratory Judgment, filed. js (amendment for Complaint is attached to Alias Summons).	
7-17-70	2nd Alias Summons, issued. js	
7-27-70	Alias Summons returned: Served Harry Simms in person on July 16, 1970, 2 miles W. of Cyril, Okla., filed. v (Marsh. fee \$49.52)	
7-27-70	2nd Summons (Alias) returned: Served Harry Simms in person on July 21st, 1970 at Cyril Okla., filed. (Marshall's fee \$23.68)	
8-13-70	Answer of Harry Simms, dba/Simms Construction and Simms, Inc. filed. ds	
8-18-70	Motion to Intervene as Defendants filed by Isola Abernathy and Alvin Ralph Abernathy.h	
8-18-70	Brief in support of Motion to Intervene as defendants filed.h	
8-18-70	Minute Order: It is ordered that plaintiffs and defendants granted 10 days in which to respond to Motion to Intervene as defendants.(AEB-J)h copies mailed	
8-27-70	Order filed, allowing motion to intervene of Isola Abernathy and Alvin Ralph Abernathy. (Allen E. Barrow-Judge) copies mailed b	
8-31-70	Answer of the Intervenor Isola Abernathy and Alvin Ralph Abernathy, filed. v	
9-21-70	Depositions of Harry Simms and Barry R. Simms, taken for plaintiff, before Patricia Huff, CSR, filed. (\$98.00 pd by plaintiff) ds	
10-1-70	Motion of intervenors for summary judgment, with brief attached, filed. ds	
10-1-70	Ordered by the Court that plaintiff respond to defendant Abernathy's motion for summary judgment within ten days of this date with a responsive brief. (AEB-J) ds	
10-8-70	Application of plaintiff for extension of time to respond to intervenors' motion for summary judgment, filed. v	
10-8-70	Order that pltf. is granted an extension of 60 days to respond to intervenors' motion for S/J, filed. (AEB-J)m (copies mailed)	
2-2-71	Dismissal without Prejudice filed, It is ordered that this case is dismissed without prejudice.(AEB-J)h <i>copies mailed</i>	

*This matter was dismissed
and the case closed*